

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

MICHAEL RAY LINDSEY

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:08CV233-WAP-DAS

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATIONS

Upon consideration of the record of this action, the court finds that the Report and Recommendations of the United States Magistrate Judge dated October 5, 2009, was on that date duly filed and the parties notified; that more than ten days have elapsed since notice of said Report and Recommendations; and that no objection thereto has been filed or served by any party. The court is of the opinion that the Report and Recommendations should be approved and adopted as the opinion of the court. It is, therefore, **ORDERED:**

1. That the Report and Recommendations of the United States Magistrate Judge dated October 5, 2009, be, and it is hereby, approved and adopted as the opinion of the court, and that the proposed findings of fact and conclusions of law therein set out be, and there are hereby, adopted as the findings of fact and conclusions of law of the court.

2. That the decision of the Commissioner is hereby **AFFIRMED**, and this case is dismissed with prejudice.

SO ORDERED, this, the 4th day of December, 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE